

“(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

“(aa) any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

“(bb) the number of recipients of grants under the Program that have reported the regulations described in item (aa) as a barrier to implementation of the Program; and

“(cc) proposed alternative legislation or regulations developed by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.”.

SEC. 5023. LEVERAGING.

All funds provided under a grant made pursuant to this division or the amendments made by this division may be used for purposes of meeting matching or cost participation requirements under any other Federal or non-Federal program, provided that such grants made pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accordance with that Act.

SA 4646. Mr. LUJÁN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, insert the following:

SEC. 821. USE OF DOMESTICALLY SOURCED COMPONENTS IN DEPARTMENT OF DEFENSE SATELLITES.

(a) IN GENERAL.—Subchapter II of chapter 385 of title 10, United States Code, is amended by inserting after section 4864 the following new section:

“§ 4865. Domestic source requirement for certain satellite components

“(a) IN GENERAL.—The Secretary of Defense may not acquire a covered component for a Department of Defense satellite unless the covered component is manufactured in the United States.

“(b) WAIVER.—The Secretary may waive the prohibition under subsection (a) with respect to the acquisition of a covered component if the Secretary—

“(1) determines that—

“(A) no significant national security concerns regarding counterfeiting, quality, or unauthorized access would be created by waiving the prohibition;

“(B) the acquisition of the covered component is required to support national security; and

“(C) the covered component is not available from a source inside the United States of satisfactory quality, in sufficient quantity, in the required form, and at reasonable cost; and

“(2) submits to the congressional defense committees a report on the determination under paragraph (1).

“(c) APPLICABILITY.—This section applies respect to contracts entered into on or after October 1, 2022.

“(d) DEFINITIONS.—In this section:

“(1) COVERED COMPONENT.—The term ‘covered component’ means a space-qualified

solar cell, cell-interconnect-coverglass (CIC) assembly, solar panel, or solar array.

“(2) DEPARTMENT OF DEFENSE SATELLITE.—The term ‘Department of Defense satellite’ means a satellite the principal purpose of which is to support the needs of the Department of Defense.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 385 of such title is amended by inserting after the item relating to section 4864 the following new item:

“4865. Domestic source requirement for certain satellite components.”.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on January 1, 2022.

SA 4647. Mr. PETERS (for himself, Mr. PORTMAN, Mr. WARNER, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—FEDERAL INFORMATION SECURITY MODERNIZATION ACT OF 2021

SEC. 5101. SHORT TITLE.

This division may be cited as the “Federal Information Security Modernization Act of 2021”.

SEC. 5102. DEFINITIONS.

In this division, unless otherwise specified:

(1) ADDITIONAL CYBERSECURITY PROCEDURE.—The term “additional cybersecurity procedure” has the meaning given the term in section 3552(b) of title 44, United States Code, as amended by this division.

(2) AGENCY.—The term “agency” has the meaning given the term in section 3502 of title 44, United States Code.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Reform of the House of Representatives; and

(C) the Committee on Homeland Security of the House of Representatives.

(4) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

(5) INCIDENT.—The term “incident” has the meaning given the term in section 3552(b) of title 44, United States Code.

(6) NATIONAL SECURITY SYSTEM.—The term “national security system” has the meaning given the term in section 3552(b) of title 44, United States Code.

(7) PENETRATION TEST.—The term “penetration test” has the meaning given the term in section 3552(b) of title 44, United States Code, as amended by this division.

(8) THREAT HUNTING.—The term “threat hunting” means proactively and iteratively searching for threats to systems that evade detection by automated threat detection systems.

TITLE LI—UPDATES TO FISMA

SEC. 5121. TITLE 44 AMENDMENTS.

(a) SUBCHAPTER I AMENDMENTS.—Subchapter I of chapter 35 of title 44, United States Code, is amended—

(1) in section 3504—

(A) in subsection (a)(1)(B)—

(i) by striking clause (v) and inserting the following:

“(v) confidentiality, privacy, disclosure, and sharing of information;”;

(ii) by redesignating clause (vi) as clause (vii); and

(iii) by inserting after clause (v) the following:

“(vi) in consultation with the National Cyber Director and the Director of the Cybersecurity and Infrastructure Security Agency, security of information; and”;

(B) in subsection (g), by striking paragraph (1) and inserting the following:

“(1) develop, and in consultation with the Director of the Cybersecurity and Infrastructure Security Agency and the National Cyber Director, oversee the implementation of policies, principles, standards, and guidelines on privacy, confidentiality, security, disclosure and sharing of information collected or maintained by or for agencies; and”;

(2) in section 3505—

(A) in paragraph (3) of the first subsection designated as subsection (c)—

(i) in subparagraph (B)—

(I) by inserting “the Director of the Cybersecurity and Infrastructure Security Agency, the National Cyber Director, and” before “the Comptroller General”; and

(II) by striking “and” at the end;

(ii) in subparagraph (C)(v), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(D) maintained on a continual basis through the use of automation, machine-readable data, and scanning.”; and

(B) by striking the second subsection designated as subsection (c);

(3) in section 3506—

(A) in subsection (b)(1)(C), by inserting “, availability” after “integrity”; and

(B) in subsection (h)(3), by inserting “security,” after “efficiency.”; and

(4) in section 3513—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following:

“(c) Each agency providing a written plan under subsection (b) shall provide any portion of the written plan addressing information security or cybersecurity to the Director of the Cybersecurity and Infrastructure Security Agency.”.

(b) SUBCHAPTER II DEFINITIONS.—

(1) IN GENERAL.—Section 3552(b) of title 44, United States Code, is amended—

(A) by redesignating paragraphs (1), (2), (3), (4), (5), (6), and (7) as paragraphs (2), (3), (4), (5), (6), (9), and (11), respectively;

(B) by inserting before paragraph (2), as so redesignated, the following:

“(1) The term ‘additional cybersecurity procedure’ means a process, procedure, or other activity that is established in excess of the information security standards promulgated under section 11331(b) of title 40 to increase the security and reduce the cybersecurity risk of agency systems.”;

(C) by inserting after paragraph (6), as so redesignated, the following:

“(7) The term ‘high value asset’ means information or an information system that the head of an agency determines so critical to the agency that the loss or corruption of the information or the loss of access to the information system would have a serious impact on the ability of the agency to perform the mission of the agency or conduct business.

“(8) The term ‘major incident’ has the meaning given the term in guidance issued by the Director under section 3598(a).”;

(D) by inserting after paragraph (9), as so redesignated, the following:

“(10) The term ‘penetration test’ means a specialized type of assessment that—